

IN THE SENATE OF THE UNITED STATES.

APRIL 13, 1880.—Ordered to be printed.

Mr. CAMERON, of Pennsylvania, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany bill S. 1124.]

The Committee on Military Affairs, to whom was referred the bill (S. 1124) for the relief of the heirs of Maj. D. C. Smith, having had the same under consideration, beg leave to submit the following report:

The bill provides that "the heirs and bondsmen of Maj. D. C. Smith, late assistant paymaster of the United States Army, are hereby relieved from the payment of the sum of \$166.29 and the interest thereon, as appears due upon settlement of his accounts." This bill has been favorably reported upon three times—once in the House and twice in the Senate—but failed to receive the final action of both Houses in one Congress. It is, in the opinion of your committee, a perfectly meritorious case, and ought to have become a law long ago. The facts are fully set forth in the following reports heretofore made, and which are hereby adopted:

[Senate Report No. 134, Forty-fifth Congress, second session.]

In the Senate of the United States, March 12, 1878.—Ordered to be printed.

Mr. BURNSIDE, from the Committee on Military Affairs, submitted the following report (to accompany bill S. 800):

The passage of the accompanying bill for the relief of the heirs of Maj. D. C. Smith was recommended by this committee and the Military Committee of the House of the Forty-fourth Congress, in consonance with the favorable reports of General Cockrell, and Mr. McDougall, of the House committee.

Copies of these reports are attached and made part of this report. I concur, and recommend that a favorable report be again made by this committee.

In the Senate of the United States, March 13, 1876.—Ordered to be printed.

Mr. COCKRELL submitted the following report (to accompany bill S. 548):

The Committee on Military Affairs, to whom was referred the bill (S. 548) for the relief of the heirs of Maj. D. C. Smith, have duly considered the same, and submit the following report:

Maj. D. C. Smith was a paymaster in the United States Army; was a gallant, efficient, and meritorious officer. On October 27, 1864, Maj. D. C. Smith, in company with several other paymasters, left Memphis, Tenn., on board of the steamer "Belle of Saint Louis," for Saint Louis. At Randolph, Tenn., this steamer started to land and was boarded by some eight or ten guerrillas, while others from the shore began firing into

the steamer. The guerrillas on board undertook to force the engineer and officers of the boat to land.

Majors Buler and D. C. Smith took their revolvers and approached the guerrillas on board and began to fire and were fired upon, and Major Smith was mortally wounded and died; Major Buler was also mortally wounded. Their gallant conduct enabled the steamer to be saved, and thus the government property on board the steamer was also saved. Paymaster-General Alvord reports the accounts of Maj. D. C. Smith as follows, to wit:

[General B. Alvord's, Paymaster-General, report of March 10, 1876, to Hon. F. M. Cockrell, United States Senate.]

His final accounts show that at the date of his death he was indebted to the

United States.....	\$284 64
From over-additions in his accounts.....	50 00
	<hr/>
	334 64
	<hr/>
He is entitled to credit for pay from October 1 to 28, 1864.....	146 85
For short additions.....	21 50
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	168 35
Leaving balance due the United States.....	166 29

I inclose a copy of his chief paymaster's report, showing the very gallant manner in which he met his death defending the property of the United States. I therefore most cheerfully recommend the passage of this bill as amended, as I consider it a very just and meritorious one.

The amendment suggested is to strike out "thirty" and insert "twenty," so that the bill as amended will read, "one hundred and sixty-six dollars and twenty-nine cents," instead of one hundred and sixty-six dollars and thirty-nine cents.

Your committee recommend the passage of the bill with the amendment suggested

[Forty-fourth Congress, first session, House Report No. 735.]

Mr. MACDOUGALL, from the Committee on Military Affairs, submitted the following report (to accompany bill S. 548):

The Committee on Military Affairs, to whom was referred Senate bill No. 548, having had the same under consideration, report as follows:

Maj. D. C. Smith was killed by guerrillas on board the steamer Belle, on the Mississippi River, on the night of October 27, 1864, while gallantly defending the property of the United States in his charge. Had he lived and had the settlement of his own accounts, it is clear that he would have been allowed the amount claimed in the accompanying bill. The committee, therefore, recommend the passage of the bill.

Your committee again report the bill favorably to the Senate, and recommend its passage.